

### **Remarks**

Claims 1-40 are pending in this application. Applicant has deleted claims 29-40. After entry of this amendment, claims 1-28 will be pending. No new matter has been added by this paper. Consideration of this application is respectfully requested in view of the above amendment and remarks.

Co-pending application 10/987,223 filed 12 November 2004 has received an Office Action dated 20 June 2008. The Examiner has issued a rejection based on statutory-type double patenting under 35 U.S.C. § 101. The double patenting rejection is provisional since conflicting claims have not been in fact patented. Applicant is cancelling claims 29-40 of this application 10/595,847 in order to overcome the provisional double patenting rejection.

Please charge any additional fees as a result of the filing of this paper to Deposit Account No. 02-3978. Applicant has attempted to place this case in condition for allowance by the above amendments to claims and remarks. The Examiner is respectfully requested to telephone Applicant's agent if it will advance the prosecution of this case. The Examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

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